

EXHIBIT D

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11 Vizio, Inc.

12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA
14

15 SONY CORPORATION, a Japanese
16 corporation,

17 Plaintiff,

18 v.

19 VIZIO, INC., a California corporation,

20 Defendant.

Case No. SA CV-08-01135-RGK
(FMOx)

**VIZIO'S RESPONSE TO SONY'S
FIRST SET OF REQUESTS FOR
PRODUCTION**

1 **VIZIO, INC.'S RESPONSE TO PLAINTIFF SONY'S**
2 **FIRST SET OF REQUESTS FOR PRODUCTION**

3 Pursuant to Rule 26 and 34 of the Federal Rules of Civil Procedure,
4 Defendant Vizio, Inc. ("Vizio") responds to Plaintiff Sony Corporation's First Set
5 of Requests for Production to Vizio.

6 **GENERAL OBJECTIONS**

7 1. Vizio objects to each Request for Production ("RFP") to the extent that
8 it is inconsistent with or seeks to impose obligations beyond those imposed by the
9 Federal Rules of Civil Procedure and the Local Rules, and/or the Orders or
10 instructions of this Court.

11 2. Vizio objects' to each RFP to the extent it seeks the disclosure of
12 information that is not relevant to any claim or defense in this action nor reasonably
13 likely to lead to the discovery of admissible evidence, under Rule 26(b)(1) of the
14 Federal Rules of Civil Procedure.

15 3. Vizio objects to each RFP to the extent it seeks information protected
16 by the attorney-client privilege, the work product doctrine, Federal Rule of
17 Evidence 501 and/or any other applicable common law or statutory privileges,
18 doctrines or immunities, including a common interest privilege (also known as the
19 joint-defense privilege) and the privilege afforded non-testifying experts by the
20 Federal Rules of Civil Procedure.

21 4. Vizio objects to each RFP to the extent it seeks discovery of private
22 and confidential information, information that reflects trade secrets, Confidential or
23 Highly Confidential material or proprietary business information, or other
24 confidential data, research or development, and/or seeks the disclosure of personal
25 information or other non-public proprietary information, in the absence of a suitable
26 Protective Order. Any offers made herein (or hereafter) to provide, or the provision
27 of, such information are made subject to an appropriate Protective Order entered by
28

1 this Court. In the absence of an appropriate Protective Order, any such information
2 will not be provided.

3 5. Vizio objects to the RFPs in that they are highly duplicative.

4 6. Vizio objects to each RFP to the extent it calls for information that
5 Vizio is prohibited from disclosing by contract, order, statute, rule, regulation or
6 law. In the case of information subject to a confidentiality obligation owed to a
7 non-party, Vizio objects to revealing such information until such time as the non-
8 party agrees to production and the entry of an appropriate Protective Order by this
9 Court. In the absence of such an agreement and an appropriate Protective Order,
10 any such information will not be provided.

11 7. Vizio objects to each RFP to the extent it seeks information obtainable
12 from another source that is more convenient, less burdensome or less expensive,
13 and/or compliance with any such RFP would be unduly burdensome, expensive,
14 annoying and/or oppressive. Vizio further objects to the extent each RFP seeks the
15 disclosure of information that is as easily ascertainable by Plaintiff as it is by Vizio
16 or is readily available from public sources.

17 8. Vizio's responses to these RFPs are made without in any way waiving
18 (a) the right to object, on the grounds of competency, relevancy, materiality,
19 privilege or admissibility as evidence for any purpose in any subsequent proceeding
20 in, or the hearing of, this action or any other action; and (b) the right to object on
21 any grounds to other discovery requests involving or relating to the subject matter
22 of these RFPs.

23 9. Vizio objects to Sony's definition of "Vizio Product" as overly broad
24 and unduly burdensome to the extent it seeks information on products that are not
25 relevant to any claim or defense in this action nor reasonably likely to lead to the
26 discovery of admissible evidence, under Rule 26(b)(1) of the Federal Rules of Civil
27 Procedure.
28

1 10. Vizio objects to Sony's definition of "Related Vizio Product" as overly
2 broad and unduly burdensome to the extent it seeks information on products that
3 are not relevant to any claim or defense in this action nor reasonably likely to lead
4 to the discovery of admissible evidence, under Rule 26(b)(1) of the Federal Rules
5 of Civil Procedure.

6 11. Vizio objects to the use of "any," "all," and "each" and their use in
7 these RFPs to the extent that Plaintiff seeks information that refers or relates to a
8 particular subject if it was intended by Plaintiff to impose any requirements on
9 Vizio to seek information from all of its employees, entities, affiliates, customers,
10 and/or suppliers in a manner that is inconsistent with the provisions of Rule
11 26(b)(2) of the Federal Rules of Civil Procedure. In seeking information, Vizio
12 makes inquiry of persons who are reasonably likely to have such information and of
13 other persons identified by these persons.

14 12. Vizio reserves all rights to contest and/or object to the admissibility at
15 trial of any documents produced by Vizio in response to these RFPs.

16 13. Any statement that Vizio will produce documents does not constitute a
17 representation that Vizio possesses any such documents, or that such documents
18 exist at all, and is not to be construed as an admission with respect to any issue in
19 this action.

20 14. Vizio's responses to these RFPs are based on its present knowledge,
21 information and belief. Discovery in this action has just begun and Vizio is
22 continuing its investigation to obtain information responsive to these RFPs. The
23 following responses are provided without prejudice to Vizio's right to present
24 documents and information subsequently discovered or determined to be responsive
25 and to amend or supplement its production consistent with the Federal Rules of
26 Civil Procedure.

1 All of the foregoing General Objections are incorporated by reference below
2 into each separate response. Subject to and without waiving these General
3 Objections, Vizio specifically objects and responds to Plaintiff's RFPs as follows:
4

5 **REQUEST FOR PRODUCTION NO. 1:**

6 A fully operational exemplar of each of the Vizio Products.

7 **RESPONSE:**

8 Vizio incorporates by reference each of its General Objections as though
9 fully set forth herein and objects to the terms "fully operational exemplar" as vague
10 and ambiguous in this context. Vizio further objects to this RFP as overly broad
11 and unduly burdensome as it seeks a sample of every product that Vizio has ever
12 manufactured or sold in the United States regardless of whether Sony has ever
13 made any allegation of infringement of those products or has a reasonable basis for
14 doing so. Vizio further objects to this RFP as premature in that Sony has not yet
15 identified any accused products or the specific claims that Sony is asserting against
16 each accused product. Vizio also objects to this RFP to the extent it seeks samples
17 of Vizio Products that are no longer within Vizio's possession, custody or control.
18 Vizio further objects to this RFP to the extent it seeks samples of products that are
19 as easily ascertainable by Plaintiff as they are by Vizio or are readily available from
20 public sources.

21 Subject to, and without waiver of the foregoing objections, Vizio is willing to
22 meet and confer with Plaintiff regarding this RFP.

23 **REQUEST FOR PRODUCTION NO. 2:**

24 All Documents that concern any of the patents-in-suit, including Documents
25 concerning the file histories thereto.

26 **RESPONSE:**

27 Vizio incorporates by reference each of its General Objections as though
28 fully set forth herein. Vizio further objects to the extent this RFP seeks information

1 protected by the attorney-client privilege and/or work product doctrine. Vizio
2 further objects to this RFP to the extent it seeks information that is as easily
3 ascertainable by Plaintiff as it is by Vizio or is readily available from public
4 sources.

5 Subject to, and without waiver of the foregoing objections, Vizio will
6 produce non-privileged, responsive and relevant documents, if any, in its
7 possession, custody or control, located after a reasonable search, but only after
8 entry of a suitable protective order.

9 **REQUEST FOR PRODUCTION NO. 3:**

10 All Documents concerning any discussion with third parties regarding Sony
11 patents.

12 **RESPONSE:**

13 Vizio incorporates by reference each of its General Objections as though
14 fully set forth herein and objects to the terms “third parties” and “Sony patents” as
15 vague and ambiguous in this context. Vizio further objects to this RFP as overly
16 broad and unduly burdensome to the extent it seeks documents on patents other
17 than the Patents-in-Suit and therefore is not relevant to the subject matter of this
18 action nor reasonably calculated to lead to the discovery of admissible evidence.
19 Vizio also objects to this RFP to the extent it seeks the disclosure of confidential
20 information of a third party. Vizio further objects to this RFP to the extent it seeks
21 information protected by attorney-client privilege, the work product doctrine,
22 common interest or joint defense privilege.

23 Subject to, and without waiver of the foregoing objections, Vizio will
24 produce non-privileged, responsive and relevant documents, if any, in its
25 possession, custody or control, located after a reasonable search, but only after
26 entry of a suitable protective order.

27 **REQUEST FOR PRODUCTION NO. 4:**

28 Documents sufficient to determine the model number of each Vizio Product.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
4 burdensome as it seeks information regarding every Vizio product regardless of
5 whether Sony has ever made any allegation of infringement of those products or has
6 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
7 that Sony has not yet identified any accused products or the specific claims that
8 Sony is asserting against each accused product.

9 Subject to, and without waiver of the foregoing objections, Vizio will
10 produce non-privileged, responsive and relevant documents, if any, in its
11 possession, custody or control, located after a reasonable search, but only after
12 entry of a suitable protective order.

13 **REQUEST FOR PRODUCTION NO. 5:**

14 Documents sufficient to determine the model number of each Related Vizio
15 Product.

16 **RESPONSE:**

17 Vizio incorporates by reference each of its General Objections as though
18 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
19 burdensome as it seeks information regarding "Related Vizio Products" regardless
20 of whether Sony has ever made any allegation of infringement of those products or
21 has a reasonable basis for doing so. Vizio further objects to this RFP as premature
22 in that Sony has not yet identified any accused products or the specific claims that
23 Sony is asserting against each accused product.

24 Subject to, and without waiver of the foregoing objections, Vizio will
25 produce non-privileged, responsive and relevant documents, if any, in its
26 possession, custody or control, located after a reasonable search, but only after
27 entry of a suitable protective order.
28

1 **REQUEST FOR PRODUCTION NO. 6:**

2 Documents sufficient to determine each Graphics Processor and/or Video
3 Processor incorporated in each Vizio Product.

4 **RESPONSE:**

5 Vizio incorporates by reference each of its General Objections as though
6 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
7 burdensome as it seeks information regarding processors for every Vizio product
8 regardless of whether Sony has ever made any allegation of infringement of those
9 products or has a reasonable basis for doing so. Vizio further objects to this RFP as
10 premature in that Sony has not yet identified any accused products or the specific
11 claims that Sony is asserting against each accused product.

12 Subject to, and without waiver of the foregoing objections, Vizio will
13 produce non-privileged, responsive and relevant documents, if any, in its
14 possession, custody or control, located after a reasonable search, but only after
15 entry of a suitable protective order.

16 **REQUEST FOR PRODUCTION NO. 7:**

17 Documents sufficient to correlate the model number of each Vizio Product
18 with any and all other internal numbers or designations associated with that
19 product.

20 **RESPONSE:**

21 Vizio incorporates by reference each of its General Objections as though
22 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
23 burdensome as it seeks information for every Vizio product regardless of whether
24 Sony has ever made any allegation of infringement of those products or has a
25 reasonable basis for doing so. Vizio further objects to this RFP as premature in that
26 Sony has not yet identified any accused products or the specific claims that Sony is
27 asserting against each accused product.

1 Subject to, and without waiver of the foregoing objections, Vizio will
2 produce non-privileged, responsive and relevant documents, if any, in its
3 possession, custody or control, located after a reasonable search, but only after
4 entry of a suitable protective order.

5 **REQUEST FOR PRODUCTION NO. 8:**

6 Documents sufficient to correlate any technical documentation concerning
7 each Vizio Product with financial documentation (*e.g.*, documents showing unit
8 sales, revenues, *etc.*) associated with that product.

9 **RESPONSE:**

10 Vizio incorporates by reference each of its General Objections as though
11 fully set forth herein and objects to the terms “technical documentation” and
12 “financial documentation” as vague and ambiguous in this context. Vizio further
13 objects to this RFP as overly broad and unduly burdensome as it seeks information
14 for every Vizio product regardless of whether Sony has ever made any allegation of
15 infringement of those products or has a reasonable basis for doing so. Vizio further
16 objects to this RFP as premature in that Sony has not yet identified any accused
17 products or the specific claims that Sony is asserting against each accused product.

18 Subject to, and without waiver of the foregoing objections, Vizio will
19 produce non-privileged, responsive and relevant documents, if any, in its
20 possession, custody or control, located after a reasonable search, but only after
21 entry of a suitable protective order.

22 **REQUEST FOR PRODUCTION NO. 9:**

23 Documents sufficient to show when, where, and by whom, each of the Vizio
24 Products was manufactured.

25 **RESPONSE:**

26 Vizio incorporates by reference each of its General Objections as though
27 fully set forth herein and objects to the term “manufactured” as vague and
28 ambiguous in this context. Vizio further objects to this RFP as overly broad and

1 unduly burdensome as it seeks information for every Vizio product regardless of
2 whether Sony has ever made any allegation of infringement of those products or has
3 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
4 that Sony has not yet identified any accused products or the specific claims that
5 Sony is asserting against each accused product.

6 Subject to, and without waiver of the foregoing objections, Vizio will
7 produce non-privileged, responsive and relevant documents, if any, in its
8 possession, custody or control, located after a reasonable search, but only after
9 entry of a suitable protective order.

10 **REQUEST FOR PRODUCTION NO. 10:**

11 For each sale of a Vizio Product, Documents sufficient to show when, where,
12 and by whom, the Vizio Product was sold.

13 **RESPONSE:**

14 Vizio incorporates by reference each of its General Objections as though
15 fully set forth herein and objects to the term “each sale” as vague and ambiguous in
16 this context. Vizio further objects to this RFP as overly broad and unduly
17 burdensome as it seeks information “for each sale” for every Vizio product ever
18 sold. Vizio further objects to this RFP as overly broad and unduly burdensome as it
19 seeks information for every Vizio product regardless of whether Sony has ever
20 made any allegation of infringement of those products or has a reasonable basis for
21 doing so. Vizio further objects to this RFP as premature in that Sony has not yet
22 identified any accused products or the specific claims that Sony is asserting against
23 each accused product. Vizio further objects to this RFP to the extent it seeks
24 confidential information of a third party. Vizio further objects to this RFP to the
25 extent it seeks information not within Vizio’s possession, custody or control.

26 Subject to, and without waiver of the foregoing objections, Vizio will
27 produce non-privileged, responsive and relevant documents, if any, in its
28

1 possession, custody or control, located after a reasonable search, but only after
2 entry of a suitable protective order.

3 **REQUEST FOR PRODUCTION NO. 11:**

4 Documents sufficient to show the place of manufacture and the place of sale
5 for each unit of each Vizio Product and the dollar amount of sales associated with
6 such unit.

7 **RESPONSE:**

8 Vizio incorporates by reference each of its General Objections as though
9 fully set forth herein and objects to the language “place of manufacture, “for each
10 unit of each Vizio product” and “such unit” as vague and ambiguous in this context.
11 Vizio further objects to this RFP as overly broad and unduly burdensome as it seeks
12 information for every Vizio product regardless of whether Sony has ever made any
13 allegation of infringement of those products or has a reasonable basis for doing so.
14 Vizio further objects to this RFP as premature in that Sony has not yet identified
15 any accused products or the specific claims that Sony is asserting against each
16 accused product. Vizio further objects to this RFP to the extent it seeks
17 confidential information of a third party. Vizio further objects to this RFP to the
18 extent it seeks information not within Vizio’s possession, custody or control.

19 Subject to, and without waiver of the foregoing objections, Vizio will
20 produce non-privileged, responsive and relevant documents, if any, in its
21 possession, custody or control, located after a reasonable search, but only after
22 entry of a suitable protective order.

23 **REQUEST FOR PRODUCTION NO. 12:**

24 All Documents concerning any Vizio licensing policies.

25 **RESPONSE:**

26 Vizio incorporates by reference each of its General Objections as though
27 fully set forth herein and objects to “licensing policies” as vague and ambiguous in
28 this context. Vizio further objects to this RFP as overly broad and unduly

1 burdensome as it seeks information for “any licenses” and thus seeks information
2 not relevant to a claim or defense in this action nor reasonably calculated to lead to
3 the discovery of admissible evidence. Vizio further objects to this RFP to the
4 extent it seeks information protected by attorney-client privilege, the work product
5 doctrine, common interest or joint defense privilege.

6 Subject to, and without waiver of the foregoing objections, Vizio will
7 produce non-privileged, responsive and relevant documents, if any, in its
8 possession, custody or control, located after a reasonable search, but only after
9 entry of a suitable protective order.

10 **REQUEST FOR PRODUCTION NO. 13:**

11 All patent license agreements Vizio has entered into in which Vizio is the
12 licensee.

13 **RESPONSE:**

14 Vizio incorporates by reference each of its General Objections as though
15 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
16 burdensome as it seeks information for “all patent license agreements” and thus
17 seeks information not relevant to a claim or defense in this action nor reasonably
18 calculated to lead to the discovery of admissible evidence. Vizio further objects to
19 this RFP to the extent it calls for the confidential information of a third party.

20 Subject to, and without waiver of the foregoing objections, Vizio will
21 produce non-privileged, responsive and relevant documents, if any, in its
22 possession, custody or control, located after a reasonable search, but only after
23 entry of a suitable protective order and Vizio has received the consent of any third
24 parties to produce any documents containing confidential information of said third
25 parties.

26 **REQUEST FOR PRODUCTION NO. 14:**

27 All Documents concerning any patent license granted to, or obtained by,
28 Vizio that covers in whole or in part any of the Vizio Products.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein and objects to the term “covers” as vague and ambiguous in
4 this context. Vizio further objects to this RFP as overly broad and unduly
5 burdensome as it seeks information for “any patent license” and thus seeks
6 information not relevant to a claim or defense in this action nor reasonably
7 calculated to lead to the discovery of admissible evidence. Vizio further objects to
8 this RFP as overly broad and unduly burdensome as it seeks information for every
9 Vizio product regardless of whether Sony has ever made any allegation of
10 infringement of those products or has a reasonable basis for doing so. Vizio further
11 objects to this RFP as premature in that Sony has not yet identified any accused
12 products or the specific claims that Sony is asserting against each accused product.
13 Vizio further objects to this RFP to the extent it calls for the confidential
14 information of a third party. Vizio further objects to this RFP to the extent it seeks
15 information protected by attorney-client privilege, the work product doctrine,
16 common interest or joint defense privilege.

17 Subject to, and without waiver of the foregoing objections, Vizio will
18 produce non-privileged, responsive and relevant documents, if any, in its
19 possession, custody or control, located after a reasonable search, but only after
20 entry of a suitable protective order and Vizio has received the consent of any third
21 parties to produce any documents containing confidential information of said third
22 parties.

23 **REQUEST FOR PRODUCTION NO. 15:**

24 All Documents concerning any document management systems or processes
25 for handling documents relating to any of the Vizio Products.

26 **RESPONSE:**

27 Vizio incorporates by reference each of its General Objections as though
28 fully set forth herein and objects to the terms “document management systems” and

1 “handling” as vague and ambiguous in this context. Vizio further objects to this
2 RFP as overly broad and unduly burdensome as it seeks information not relevant to
3 a claim or defense in this action nor reasonably calculated to lead to the discovery
4 of admissible evidence. Vizio further objects to this RFP as overly broad and
5 unduly burdensome as it seeks information relating to every Vizio product
6 regardless of whether Sony has ever made any allegation of infringement of those
7 products or has a reasonable basis for doing so. Vizio further objects to this RFP as
8 premature in that Sony has not yet identified any accused products or the specific
9 claims that Sony is asserting against each accused product.

10 Subject to, and without waiver of the foregoing objections, Vizio will
11 produce non-privileged, responsive and relevant documents, if any, in its
12 possession, custody or control, located after a reasonable search, but only after
13 entry of a suitable protective order.

14 **REQUEST FOR PRODUCTION NO. 16:**

15 All Documents concerning any databases for storing data relating to any of
16 the Vizio Products.

17 **RESPONSE:**

18 Vizio incorporates by reference each of its General Objections as though
19 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
20 burdensome as it seeks information not relevant to a claim or defense in this action
21 nor reasonably calculated to lead to the discovery of admissible evidence. Vizio
22 further objects to this RFP as overly broad and unduly burdensome as it seeks
23 information relating to every Vizio product regardless of whether Sony has ever
24 made any allegation of infringement of those products or has a reasonable basis for
25 doing so. Vizio further objects to this RFP as premature in that Sony has not yet
26 identified any accused products or the specific claims that Sony is asserting against
27 each accused product.

1 Subject to, and without waiver of the foregoing objections, Vizio will
2 produce non-privileged, responsive and relevant documents, if any, in its
3 possession, custody or control, located after a reasonable search, but only after
4 entry of a suitable protective order.

5 **REQUEST FOR PRODUCTION NO. 17:**

6 All Documents relating to the menu display and/or picture-in-picture
7 functionality of the Vizio Products or the Related Vizio Products.

8 **RESPONSE:**

9 Vizio incorporates by reference each of its General Objections as though
10 fully set forth herein and objects to the terms “menu display” and “picture-in-
11 picture functionality” as vague and ambiguous in this context. Vizio further objects
12 to this RFP as overly broad and unduly burdensome as it seeks information relating
13 to every Vizio product regardless of whether Sony has ever made any allegation of
14 infringement of those products or has a reasonable basis for doing so. Vizio further
15 objects to this RFP as premature in that Sony has not yet identified any accused
16 products or the specific claims that Sony is asserting against each accused product.
17 Vizio further objects to this RFP to the extent it calls for the confidential
18 information of a third party. Vizio further objects to this RFP to the extent it seeks
19 information not within Vizio’s possession, custody or control.

20 Subject to, and without waiver of the foregoing objections, Vizio will
21 produce non-privileged, responsive and relevant documents, if any, in its
22 possession, custody or control, located after a reasonable search, but only after
23 entry of a suitable protective order and Vizio has received the consent of any third
24 parties to produce any documents containing confidential information of said third
25 parties.

26 **REQUEST FOR PRODUCTION NO. 18:**

27 All Documents that relate to the closed caption functionality of the Vizio
28 Products or the Related Vizio Products.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein and objects to the terms “relate to” and “closed caption
4 functionality” as vague and ambiguous in this context. Vizio further objects to this
5 RFP as overly broad and unduly burdensome as it seeks information relating to
6 every Vizio product regardless of whether Sony has ever made any allegation of
7 infringement of those products or has a reasonable basis for doing so. Vizio further
8 objects to this RFP as premature in that Sony has not yet identified any accused
9 products or the specific claims that Sony is asserting against each accused product.
10 Vizio further objects to this RFP to the extent it calls for the confidential
11 information of a third party. Vizio further objects to this RFP to the extent it seeks
12 information not within Vizio’s possession, custody or control.

13 Subject to, and without waiver of the foregoing objections, Vizio will
14 produce non-privileged, responsive and relevant documents, if any, in its
15 possession, custody or control, located after a reasonable search, but only after
16 entry of a suitable protective order and Vizio has received the consent of any third
17 parties to produce any documents containing confidential information of said third
18 parties.

19 **REQUEST FOR PRODUCTION NO. 19:**

20 All Documents that relate to the subtitle display functionality of the Vizio
21 Products or the Related Vizio Products.

22 **RESPONSE:**

23 Vizio incorporates by reference each of its General Objections as though
24 fully set forth herein and objects to the terms “relate to” and “subtitle display
25 functionality” as vague and ambiguous in this context. Vizio further objects to this
26 RFP as overly broad and unduly burdensome as it seeks information relating to
27 every Vizio product regardless of whether Sony has ever made any allegation of
28 infringement of those products or has a reasonable basis for doing so. Vizio further

1 objects to this RFP as premature in that Sony has not yet identified any accused
2 products or the specific claims that Sony is asserting against each accused product.
3 Vizio further objects to this RFP to the extent it calls for the confidential
4 information of a third party. Vizio further objects to this RFP to the extent it seeks
5 information not within Vizio's possession, custody or control.

6 Subject to, and without waiver of the foregoing objections, Vizio will
7 produce non-privileged, responsive and relevant documents, if any, in its
8 possession, custody or control, located after a reasonable search, but only after
9 entry of a suitable protective order and Vizio has received the consent of any third
10 parties to produce any documents containing confidential information of said third
11 parties.

12 **REQUEST FOR PRODUCTION NO. 20:**

13 All Documents that relate to the menu display functionality of the Vizio
14 Products or the Related Vizio Products.

15 **RESPONSE:**

16 Vizio incorporates by reference each of its General Objections as though
17 fully set forth herein and objects to the terms "relate to" and "menu display
18 functionality" as vague and ambiguous in this context. Vizio further objects to this
19 RFP as overly broad and unduly burdensome as it seeks information relating to
20 every Vizio product regardless of whether Sony has ever made any allegation of
21 infringement of those products or has a reasonable basis for doing so. Vizio further
22 objects to this RFP as premature in that Sony has not yet identified any accused
23 products or the specific claims that Sony is asserting against each accused product.
24 Vizio further objects to this RFP to the extent it calls for the confidential
25 information of a third party. Vizio further objects to this RFP to the extent it seeks
26 information not within Vizio's possession, custody or control.

27 Subject to, and without waiver of the foregoing objections, Vizio will
28 produce non-privileged, responsive and relevant documents, if any, in its

1 possession, custody or control, located after a reasonable search, but only after
2 entry of a suitable protective order and Vizio has received the consent of any third
3 parties to produce any documents containing confidential information of said third
4 parties.

5 **REQUEST FOR PRODUCTION NO. 21:**

6 All Documents that relate to the video processing and transmission
7 functionality of the Vizio Products.

8 **RESPONSE:**

9 Vizio incorporates by reference each of its General Objections as though
10 fully set forth herein and objects to the terms “relate to,” “video processing” and
11 “transmission functionality” as vague and ambiguous in this context. Vizio further
12 objects to this RFP as overly broad and unduly burdensome as it seeks information
13 relating to every Vizio product regardless of whether Sony has ever made any
14 allegation of infringement of those products or has a reasonable basis for doing so.
15 Vizio further objects to this RFP as premature in that Sony has not yet identified
16 any accused products or the specific claims that Sony is asserting against each
17 accused product. Vizio further objects to this RFP to the extent it calls for the
18 confidential information of a third party. Vizio further objects to this RFP to the
19 extent it seeks information not within Vizio’s possession, custody or control.

20 Subject to, and without waiver of the foregoing objections, Vizio will
21 produce non-privileged, responsive and relevant documents, if any, in its
22 possession, custody or control, located after a reasonable search, but only after
23 entry of a suitable protective order and Vizio has received the consent of any third
24 parties to produce any documents containing confidential information of said third
25 parties.

26 **REQUEST FOR PRODUCTION NO. 22:**

27 All Documents that relate to the gamma correction and/or dynamic contrast
28 functionality of the Vizio Products.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein and objects to the terms “relate to,” “gamma correction” and
4 “dynamic contrast functionality” as vague and ambiguous in this context. Vizio
5 further objects to this RFP as overly broad and unduly burdensome as it seeks
6 information relating to every Vizio product regardless of whether Sony has ever
7 made any allegation of infringement of those products or has a reasonable basis for
8 doing so. Vizio further objects to this RFP as premature in that Sony has not yet
9 identified any accused products or the specific claims that Sony is asserting against
10 each accused product. Vizio further objects to this RFP to the extent it calls for the
11 confidential information of a third party. Vizio further objects to this RFP to the
12 extent it seeks information not within Vizio’s possession, custody or control.

13 Subject to, and without waiver of the foregoing objections, Vizio will
14 produce non-privileged, responsive and relevant documents, if any, in its
15 possession, custody or control, located after a reasonable search, but only after
16 entry of a suitable protective order and Vizio has received the consent of any third
17 parties to produce any documents containing confidential information of said third
18 parties.

19 **REQUEST FOR PRODUCTION NO. 23:**

20 All Documents that relate to the channel selection functionality of the Vizio
21 Products or the Related Vizio Products.

22 **RESPONSE:**

23 Vizio incorporates by reference each of its General Objections as though
24 fully set forth herein and objects to the terms “relate to” and “channel selection” as
25 vague and ambiguous in this context. Vizio further objects to this RFP as overly
26 broad and unduly burdensome as it seeks information relating to every Vizio
27 product regardless of whether Sony has ever made any allegation of infringement of
28 those products or has a reasonable basis for doing so. Vizio further objects to this

1 RFP as premature in that Sony has not yet identified any accused products or the
2 specific claims that Sony is asserting against each accused product. Vizio further
3 objects to this RFP to the extent it calls for the confidential information of a third
4 party. Vizio further objects to this RFP to the extent it seeks information not within
5 Vizio's possession, custody or control.

6 Subject to, and without waiver of the foregoing objections, Vizio will
7 produce non-privileged, responsive and relevant documents, if any, in its
8 possession, custody or control, located after a reasonable search, but only after
9 entry of a suitable protective order and Vizio has received the consent of any third
10 parties to produce any documents containing confidential information of said third
11 parties.

12 **REQUEST FOR PRODUCTION NO. 24:**

13 All Documents that describe the operation of the Vizio Products or the
14 Related Vizio Products, including, but not limited to, user manuals, service
15 manuals, training materials, packaging materials and marketing materials.

16 **RESPONSE:**

17 Vizio incorporates by reference each of its General Objections as though
18 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
19 burdensome as it seeks information relating to every Vizio product regardless of
20 whether Sony has ever made any allegation of infringement of those products or has
21 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
22 that Sony has not yet identified any accused products or the specific claims that
23 Sony is asserting against each accused product. Vizio further objects to this RFP to
24 the extent it calls for the confidential information of a third party. Vizio further
25 objects to this RFP to the extent it seeks information not within Vizio's possession,
26 custody or control.

27 Subject to, and without waiver of the foregoing objections, Vizio will
28 produce non-privileged, responsive and relevant documents, if any, in its

1 possession, custody or control, located after a reasonable search, but only after
2 entry of a suitable protective order and Vizio has received the consent of any third
3 parties to produce any documents containing confidential information of said third
4 parties.

5 **REQUEST FOR PRODUCTION NO. 25:**

6 Documents, including, any charts, schematics, drawing or figures, sufficient
7 to show how, where, when, and by whom each of the Vizio Products was
8 manufactured and/or assembled.

9 **RESPONSE:**

10 Vizio incorporates by reference each of its General Objections as though
11 fully set forth herein and objects to the language “manufactured and/or assembled”
12 as vague and ambiguous in this context. Vizio further objects to this RFP as overly
13 broad and unduly burdensome as it seeks information relating to every Vizio
14 product regardless of whether Sony has ever made any allegation of infringement of
15 those products or has a reasonable basis for doing so. Vizio further objects to this
16 RFP as premature in that Sony has not yet identified any accused products or the
17 specific claims that Sony is asserting against each accused product. Vizio further
18 objects to this RFP to the extent it seeks information not within Vizio’s possession,
19 custody or control.

20 Subject to, and without waiver of the foregoing objections, Vizio will
21 produce non-privileged, responsive and relevant documents, if any, in its
22 possession, custody or control, located after a reasonable search, but only after
23 entry of a suitable protective order and Vizio has received the consent of any third
24 parties to produce any documents containing confidential information of said third
25 parties.

26 **REQUEST FOR PRODUCTION NO. 26:**

27 All Documents that relate to the design and development of each of the Vizio
28 Products and each component thereof, including, without limitation, all notebooks,

1 diagrams, progress reports, studies, internal memoranda, contracts for services, and
2 Communications.

3 **RESPONSE:**

4 Vizio incorporates by reference each of its General Objections as though
5 fully set forth herein and objects to the term “relate to” as vague and ambiguous in
6 this context. Vizio further objects to this RFP as overly broad and unduly
7 burdensome as it seeks information relating to every Vizio product regardless of
8 whether Sony has ever made any allegation of infringement of those products or has
9 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
10 that Sony has not yet identified any accused products or the specific claims that
11 Sony is asserting against each accused product. Vizio further objects to this RFP to
12 the extent it calls for the confidential information of a third party. Vizio further
13 objects to this RFP to the extent it seeks information not within Vizio’s possession,
14 custody or control.

15 Subject to, and without waiver of the foregoing objections, Vizio will
16 produce non-privileged, responsive and relevant documents, if any, in its
17 possession, custody or control, located after a reasonable search, but only after
18 entry of a suitable protective order and Vizio has received the consent of any third
19 parties to produce any documents containing confidential information of said third
20 parties.

21 **REQUEST FOR PRODUCTION NO. 27:**

22 All Documents that relate to whether Vizio infringes the patents-in-suit,
23 including, without limitation, all Documents that relate to any investigation or
24 analysis thereof.

25 **RESPONSE:**

26 Vizio incorporates by reference each of its General Objections as though
27 fully set forth herein and objects to the term “relate to” as vague and ambiguous in
28 this context. Vizio further objects to this RFP as premature in that Sony has not yet

1 identified any accused products or the specific claims that Sony is asserting against
2 each accused product. Vizio further objects to this RFP as premature to the extent
3 it calls for information that will be the subject of expert reports. Vizio further
4 objects to this RFP as premature to the extent it requests information from Vizio in
5 contravention of the Court's Scheduling Orders. Vizio further objects to this RFP
6 to the extent it calls for information protected by attorney-client privilege, the work
7 product doctrine and/or any other applicable common law or statutory privileges,
8 doctrines or immunities.

9 Subject to, and without waiver of the foregoing objections, Vizio will
10 produce non-privileged, responsive and relevant documents, if any, in its
11 possession, custody or control in accordance with the Court's Scheduling Orders
12 and all applicable local and federal rules, but only after entry of a suitable
13 protective order.

14 **REQUEST FOR PRODUCTION NO. 28:**

15 All Documents that relate to Vizio's contention that the patents-in-suit are
16 invalid, including, without limitation, all Documents that relate to any investigation
17 or analysis thereof.

18 **RESPONSE:**

19 Vizio incorporates by reference each of its General Objections as though
20 fully set forth herein and objects to the term "relate to" as vague and ambiguous in
21 this context. Vizio further objects to this RFP as overly broad and unduly
22 burdensome as it seeks information relating to every Vizio product regardless of
23 whether Sony has ever made any allegation of infringement of those products or has
24 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
25 that Sony has not yet identified any accused products or the specific claims that
26 Sony is asserting against each accused product. Vizio further objects to this RFP as
27 premature to the extent it calls for information that will be the subject of expert
28 reports. Vizio further objects to this RFP as premature to the extent it requests

1 information from Vizio in contravention of the Court's Scheduling Orders. Vizio
2 further objects to this RFP to the extent it calls for information protected by
3 attorney-client privilege, the work product doctrine and/or any other applicable
4 common law or statutory privileges, doctrines or immunities.

5 Subject to, and without waiver of the foregoing objections, Vizio will
6 produce non-privileged, responsive and relevant documents in accordance with the
7 Court's Scheduling Orders and all applicable local and federal rules, but only after
8 entry of a suitable protective order.

9 **REQUEST FOR PRODUCTION NO. 29:**

10 All Documents that relate to any prior art search concerning the patents-in-
11 suit, including search requests, reports, analyses, and references located.

12 **RESPONSE:**

13 Vizio incorporates by reference each of its General Objections as though
14 fully set forth herein and objects to the term "relate to" as vague and ambiguous in
15 this context. Vizio further objects to this RFP as overly broad and unduly
16 burdensome as it seeks information relating to every Vizio product regardless of
17 whether Sony has ever made any allegation of infringement of those products or has
18 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
19 that Sony has not yet identified any accused products or the specific claims that
20 Sony is asserting against each accused product. Vizio further objects to this RFP as
21 premature to the extent it calls for information that will be the subject of expert
22 discovery and/or reports. Vizio further objects to this RFP as premature to the
23 extent it requests information from Vizio in contravention of the Court's
24 Scheduling Orders. Vizio further objects to this RFP to the extent it calls for
25 information protected by attorney-client privilege, the work product doctrine and/or
26 any other applicable common law or statutory privileges, doctrines or immunities.

27 Subject to, and without waiver of the foregoing objections, Vizio will
28 produce non-privileged, responsive and relevant documents in accordance with the

1 Court's Scheduling Orders and all applicable local and federal rules, but only after
2 entry of a suitable protective order.

3 **REQUEST FOR PRODUCTION NO. 30:**

4 All English translations of any foreign patent or publication on which you
5 intend to rely as prior art to any of the patents-in-suit.

6 **RESPONSE:**

7 Vizio incorporates by reference each of its General Objections as though
8 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
9 burdensome as it seeks information relating to every Vizio product regardless of
10 whether Sony has ever made any allegation of infringement of those products or has
11 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
12 that Sony has not yet identified any accused products or the specific claims that
13 Sony is asserting against each accused product. Vizio further objects to this RFP as
14 premature to the extent it calls for information that will be the subject of expert
15 discovery and/or reports. Vizio further objects to this RFP as premature to the
16 extent it requests information from Vizio in contravention of the Court's
17 Scheduling Orders. Vizio further objects to this RFP to the extent it calls for
18 information protected by attorney-client privilege, the work product doctrine and/or
19 any other applicable common law or statutory privileges, doctrines or immunities.

20 Subject to, and without waiver of the foregoing objections, Vizio will
21 produce non-privileged, responsive and relevant documents in accordance with the
22 Court's Scheduling Orders and all applicable local and federal rules, but only after
23 entry of a suitable protective order.

24 **REQUEST FOR PRODUCTION NO. 31:**

25 All copies of any patents, publications, or other references that Vizio
26 contends are themselves prior art or evidence prior art to one or more of the patents-
27 in-suit.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
4 burdensome as it seeks information relating to every Vizio product regardless of
5 whether Sony has ever made any allegation of infringement of those products or has
6 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
7 that Sony has not yet identified any accused products or the specific claims that
8 Sony is asserting against each accused product. Vizio further objects to this RFP as
9 premature to the extent it calls for information that will be the subject of expert
10 discovery and/or reports. Vizio further objects to this RFP as premature to the
11 extent it requests information from Vizio in contravention of the Court's
12 Scheduling Orders. Vizio further objects to this RFP to the extent it calls for
13 information protected by attorney-client privilege, the work product doctrine and/or
14 any other applicable common law or statutory privileges, doctrines or immunities.

15 Subject to, and without waiver of the foregoing objections, Vizio will
16 produce non-privileged, responsive and relevant documents in accordance with the
17 Court's Scheduling Orders and all applicable local and federal rules, but only after
18 entry of a suitable protective order.

19 **REQUEST FOR PRODUCTION NO. 32:**

20 All Documents that relate to devices, products, systems, apparatuses, or other
21 instrumentalities that Vizio contends are prior art to one or more of the patents-in-
22 suit.

23 **RESPONSE:**

24 Vizio incorporates by reference each of its General Objections as though
25 fully set forth herein and objects to the terms "relate to" and "other
26 instrumentalities" as vague and ambiguous in this context. Vizio further objects to
27 this RFP as overly broad and unduly burdensome as it seeks information relating to
28 every Vizio product regardless of whether Sony has ever made any allegation of

1 infringement of those products or has a reasonable basis for doing so. Vizio further
2 objects to this RFP as premature in that Sony has not yet identified any accused
3 products or the specific claims that Sony is asserting against each accused product.
4 Vizio further objects to this RFP as premature to the extent it calls for information
5 that will be the subject of expert discovery and/or reports. Vizio further objects to
6 this RFP as premature to the extent it requests information from Vizio in
7 contravention of the Court's Scheduling Orders. Vizio further objects to this RFP
8 to the extent it calls for information protected by attorney-client privilege, the work
9 product doctrine and/or any other applicable common law or statutory privileges,
10 doctrines or immunities.

11 Subject to, and without waiver of the foregoing objections, Vizio will
12 produce non-privileged, responsive and relevant documents in accordance with the
13 Court's Scheduling Orders and all applicable local and federal rules, but only after
14 entry of a suitable protective order.

15 **REQUEST FOR PRODUCTION NO. 33:**

16 All Documents that demonstrate or evidence any alleged prior conception
17 and/or reduction to practice of the subject matter claimed in the patents-in-suit.

18 **RESPONSE:**

19 Vizio incorporates by reference each of its General Objections as though
20 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
21 burdensome as it seeks information relating to every Vizio product regardless of
22 whether Sony has ever made any allegation of infringement of those products or has
23 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
24 that Sony has not yet identified any accused products or the specific claims that
25 Sony is asserting against each accused product. Vizio further objects to this RFP as
26 premature to the extent it calls for information that will be the subject of expert
27 discovery and/or reports. Vizio further objects to this RFP as premature to the
28

1 extent it requests information from Vizio in contravention of the Court's
2 Scheduling Orders.

3 Subject to, and without waiver of the foregoing objections, Vizio will
4 produce non-privileged, responsive and relevant documents in accordance with the
5 Court's Scheduling Orders and all applicable local and federal rules, but only after
6 entry of a suitable protective order.

7 **REQUEST FOR PRODUCTION NO. 34:**

8 All Documents that Vizio relies on or intends to rely on for any of its
9 affirmative defenses.

10 **RESPONSE:**

11 Vizio incorporates by reference each of its General Objections as though
12 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
13 burdensome as it seeks information relating to every Vizio product regardless of
14 whether Sony has ever made any allegation of infringement of those products or has
15 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
16 that Sony has not yet identified any accused products or the specific claims that
17 Sony is asserting against each accused product.

18 Subject to, and without waiver of the foregoing objections, Vizio will
19 produce non-privileged, responsive and relevant documents, if any, in its
20 possession, custody or control, located after a reasonable search, but only after
21 entry of a suitable protective order and in accordance with the Court's Scheduling
22 Orders and all applicable local and federal rules.

23 **REQUEST FOR PRODUCTION NO. 35:**

24 Documents sufficient to determine the following on a monthly or quarterly
25 basis from October 10, 2002 for the Vizio Products, including components thereof:

- 26 a. Total gross and net revenues (by product, customer, period and
27 location);
28

- 1 b. Total quantity of units sold (by product, customer, period and
2 location);
- 3 c. Cost of goods sold, including but not limited to, direct purchases,
4 direct labor, indirect and/or overhead costs, and any allocation of those
5 direct, indirect and/or overhead costs to the Vizio Products;
- 6 d. Actual total cost or variances from standard costs;
- 7 e. Gross and net profits; and
- 8 f. All costs other than standard costs, including but not limited to,
9 selling, advertising, general and administrative expenses, and any
10 allocation of those expenses to the Vizio Products.

11 **RESPONSE:**

12 Vizio incorporates by reference each of its General Objections as though
13 fully set forth herein and objects to the terms “gross and net revenues,” “customer,”
14 “direct purchases,” “direct labor,” “indirect and/or overhead costs,” “actual total
15 cost,” “standard costs,” “gross and net profits,” and “all costs” as vague and
16 ambiguous in this context. Vizio further objects to this RFP as overly broad and
17 unduly burdensome as it seeks information relating to every Vizio product
18 regardless of whether Sony has ever made any allegation of infringement of those
19 products or has a reasonable basis for doing so. Vizio further objects to this RFP as
20 premature in that Sony has not yet identified any accused products or the specific
21 claims that Sony is asserting against each accused product.

22 Subject to, and without waiver of the foregoing objections, Vizio will
23 produce non-privileged, responsive and relevant documents, if any, in its
24 possession, custody or control, located after a reasonable search, but only after
25 entry of a suitable protective order.

26 **REQUEST FOR PRODUCTION NO. 36:**

27 All Documents relating to the marketing and sale of the Vizio Products.
28

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
4 burdensome as it seeks information relating to every Vizio product regardless of
5 whether Sony has ever made any allegation of infringement of those products or has
6 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
7 that Sony has not yet identified any accused products or the specific claims that
8 Sony is asserting against each accused product.

9 Subject to, and without waiver of the foregoing objections, Vizio will
10 produce non-privileged, responsive and relevant documents, if any, in its
11 possession, custody or control, located after a reasonable search, but only after
12 entry of a suitable protective order.

13 **REQUEST FOR PRODUCTION NO. 37:**

14 Documents sufficient to identify all entities involved in the sale and
15 distribution of the Vizio Products.

16 **RESPONSE:**

17 Vizio incorporates by reference each of its General Objections as though
18 fully set forth herein and objects to the language "involved in the sale and
19 distribution" as vague and ambiguous in this context. Vizio further objects to this
20 RFP as overly broad and unduly burdensome as it seeks information relating to
21 every Vizio product regardless of whether Sony has ever made any allegation of
22 infringement of those products or has a reasonable basis for doing so. Vizio further
23 objects to this RFP as premature in that Sony has not yet identified any accused
24 products or the specific claims that Sony is asserting against each accused product.

25 Subject to, and without waiver of the foregoing objections, Vizio will
26 produce non-privileged, responsive and relevant documents, if any, in its
27 possession, custody or control, located after a reasonable search, but only after
28 entry of a suitable protective order.

1 **REQUEST FOR PRODUCTION NO. 38:**

2 Documents sufficient to identify the role or contribution of all entities
3 involved in the sale and distribution of the Vizio Products.

4 **RESPONSE:**

5 Vizio incorporates by reference each of its General Objections as though
6 fully set forth herein and objects to the terms “role” and “contribution” as vague
7 and ambiguous in this context. Vizio further objects to this RFP as overly broad
8 and unduly burdensome as it seeks information relating to every Vizio product
9 regardless of whether Sony has ever made any allegation of infringement of those
10 products or has a reasonable basis for doing so. Vizio further objects to this RFP as
11 premature in that Sony has not yet identified any accused products or the specific
12 claims that Sony is asserting against each accused product.

13 Subject to, and without waiver of the foregoing objections, Vizio will
14 produce non-privileged, responsive and relevant documents, if any, in its
15 possession, custody or control, located after a reasonable search, but only after
16 entry of a suitable protective order.

17 **REQUEST FOR PRODUCTION NO. 39:**

18 Documents sufficient to identify all entities involved in the sale and
19 distribution of the Related Vizio Products.

20 **RESPONSE:**

21 Vizio incorporates by reference each of its General Objections as though
22 fully set forth herein and objects to the language “involved in the sale and
23 distribution” as vague and ambiguous in this context. Vizio further objects to this
24 RFP as overly broad and unduly burdensome as it seeks information relating to
25 “Related Vizio Products” regardless of whether Sony has ever made any allegation
26 of infringement of those products or has a reasonable basis for doing so. Vizio
27 further objects to this RFP as premature in that Sony has not yet identified any
28

1 accused products or the specific claims that Sony is asserting against each accused
2 product.

3 Subject to, and without waiver of the foregoing objections, Vizio will
4 produce non-privileged, responsive and relevant documents, if any, in its
5 possession, custody or control, located after a reasonable search, but only after
6 entry of a suitable protective order.

7 **REQUEST FOR PRODUCTION NO. 40:**

8 Documents sufficient to identify the role or contribution of all entities
9 involved in the sale and distribution of the Related Vizio Products.

10 **RESPONSE:**

11 Vizio incorporates by reference each of its General Objections as though
12 fully set forth herein and objects to the terms “role” and “contribution” as vague
13 and ambiguous in this context. Vizio further objects to this RFP as overly broad
14 and unduly burdensome as it seeks information relating to “Related Vizio Products”
15 regardless of whether Sony has ever made any allegation of infringement of those
16 products or has a reasonable basis for doing so. Vizio further objects to this RFP as
17 premature in that Sony has not yet identified any accused products or the specific
18 claims that Sony is asserting against each accused product.

19 Subject to, and without waiver of the foregoing objections, Vizio will
20 produce non-privileged, responsive and relevant documents, if any, in its
21 possession, custody or control, located after a reasonable search, but only after
22 entry of a suitable protective order.

23 **REQUEST FOR PRODUCTION NO. 41:**

24 All Documents that relate to when and how Vizio first became aware of each
25 of the patents-in-suit.

26 **RESPONSE:**

27 Vizio incorporates by reference each of its General Objections as though
28 fully set forth herein and objects to the term “relate to” as vague and ambiguous in

1 this context. Vizio further objects to this RFP to the extent it seeks information as
2 easily obtainable by Sony as it is by Vizio. Vizio further objects to this RFP to the
3 extent it seeks information protected by attorney-client privilege and/or the work
4 product doctrine.

5 Subject to, and without waiver of the foregoing objections, Vizio will
6 produce non-privileged, responsive and relevant documents, if any, in its
7 possession, custody or control, located after a reasonable search, but only after
8 entry of a suitable protective order.

9 **REQUEST FOR PRODUCTION NO. 42:**

10 All Documents reflecting Communications concerning the patents-in-suit or
11 other Sony patents.

12 **RESPONSE:**

13 Vizio incorporates by reference each of its General Objections as though
14 fully set forth herein and objects to the term "other Sony patents" as vague and
15 ambiguous in this context. Vizio further objects to this RFP as overly broad and
16 unduly burdensome as it seeks information relating to "other Sony patents" and
17 therefore seeks information not relevant to a claim or defense of any party nor
18 reasonably calculated to lead to the discovery of admissible evidence. Vizio further
19 objects to this RFP to the extent it seeks information protected by attorney-client
20 privilege, the work product doctrine and/or a common interest or joint defense
21 privilege.

22 Subject to, and without waiver of the foregoing objections, Vizio will
23 produce non-privileged, responsive and relevant documents, if any, in its
24 possession, custody or control, located after a reasonable search, but only after
25 entry of a suitable protective order.

26 **REQUEST FOR PRODUCTION NO. 43:**

27 All Documents that relate to or evidence any Licenses, or the negotiation
28 thereof, relating to the Vizio Products.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein and objects to the term “relate to” as vague and ambiguous in
4 this context. Vizio further objects to this RFP to the extent it calls for “any
5 Licenses” relating to Vizio Products and, therefore, seek to incorporate all licenses
6 ever entered into by Vizio without limitation. Vizio further objects to this RFP as
7 overly broad and unduly burdensome as it seeks information relating to every Vizio
8 product regardless of whether Sony has ever made any allegation of infringement of
9 those products or has a reasonable basis for doing so. Vizio further objects to this
10 RFP as premature in that Sony has not yet identified any accused products or the
11 specific claims that Sony is asserting against each accused product. Vizio further
12 objects to this RFP to the extent it seeks information protected by attorney-client
13 privilege, the work product doctrine and/or a common interest or joint defense
14 privilege. Vizio further objects to this RFP to the extent it seeks confidential
15 information of any third party.

16 Subject to, and without waiver of the foregoing objections, Vizio will
17 produce non-privileged, responsive and relevant documents, if any, in its
18 possession, custody or control, located after a reasonable search, but only after
19 entry of a suitable protective order and Vizio has received the consent of any third
20 parties to produce any documents containing confidential information of said third
21 parties.

22 **REQUEST FOR PRODUCTION NO. 44:**

23 All Documents that relate to or evidence any Licenses, or the negotiation
24 thereof, relating to the technology claimed or disclosed by the patents-in-suit.

25 **RESPONSE:**

26 Vizio incorporates by reference each of its General Objections as though
27 fully set forth herein and objects to the terms “relate to” and “relating to the
28 technology claimed or disclosed” as vague and ambiguous in this context. Vizio

1 further objects to this RFP to the extent it seeks information for “any Licenses”
2 relating to technology in the patents in suit that is not relevant to any claim or
3 defense of any party nor reasonably calculated to lead to the discovery of
4 admissible evidence. Vizio further objects to this RFP to the extent it seeks
5 information protected by attorney-client privilege, the work product doctrine and/or
6 a common interest or joint defense privilege. Vizio further objects to this RFP to
7 the extent it seeks confidential information of any third party.

8 Subject to, and without waiver of the foregoing objections, Vizio will
9 produce non-privileged, responsive and relevant documents, if any, in its
10 possession, custody or control, located after a reasonable search, but only after
11 entry of a suitable protective order and Vizio has received the consent of any third
12 parties to produce any documents containing confidential information of said third
13 parties.

14 **REQUEST FOR PRODUCTION NO. 45:**

15 All patent licenses in which Vizio has received or conveyed rights.

16 **RESPONSE:**

17 Vizio incorporates by reference each of its General Objections as though
18 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
19 burdensome as it seeks information relating to “[a]ll patent licenses” and therefore
20 seeks information not relevant to the claims or defenses of any party nor reasonably
21 calculated to lead to the discovery of admissible evidence. Vizio further objects to
22 this RFP to the extent it seeks confidential information of any third party.

23 Subject to, and without waiver of the foregoing objections, Vizio will
24 produce non-privileged, responsive and relevant documents, if any, in its
25 possession, custody or control, located after a reasonable search, but only after
26 entry of a suitable protective order and Vizio has received the consent of any third
27 parties to produce any documents containing confidential information of said third
28 parties.

1 **REQUEST FOR PRODUCTION NO. 46:**

2 All Documents reflecting or created in the course of any patent licensing
3 negotiations in which Vizio has been involved.

4 **RESPONSE:**

5 Vizio incorporates by reference each of its General Objections as though
6 fully set forth herein and objects to the terms “reflecting” and “involved” as vague
7 and ambiguous in this context. Vizio further objects to this RFP as overly broad
8 and unduly burdensome as it seeks “[a]ll documents reflecting or created in the
9 course of any patent licensing negotiations,” regardless of whether they are relevant
10 to the claim or defense of any party. Vizio further objects to this RFP to the extent
11 it seeks information protected by attorney-client privilege, the work product
12 doctrine and/or a common interest or joint defense privilege. Vizio further objects
13 to this RFP to the extent it seeks confidential information of any third party.

14 Subject to, and without waiver of the foregoing objections, Vizio will
15 produce non-privileged, responsive and relevant documents, if any, in its
16 possession, custody or control, located after a reasonable search, but only after
17 entry of a suitable protective order and Vizio has received the consent of any third
18 parties to produce any documents containing confidential information of said third
19 parties.

20 **REQUEST FOR PRODUCTION NO. 47:**

21 All Documents that are material to the calculation of the reasonable royalty
22 rate that Vizio contends Vizio and Sony would have agreed upon in a hypothetical
23 negotiation.

24 **RESPONSE:**

25 Vizio incorporates by reference each of its General Objections as though
26 fully set forth herein. Vizio further objects to this RFP as premature in that it seeks
27 information that will be the subject of expert reports and to the extent it seeks
28 information in contravention of the Court’s Scheduling Orders. Vizio further

1 objects to this RFP as premature as Sony has not yet identified any accused
2 products or the specific claims that Sony is asserting against each accused product.
3 Vizio further objects to this RFP to the extent it seeks information protected by
4 attorney-client privilege and/or the work product doctrine.

5 Subject to, and without waiver of the foregoing objections, Vizio will
6 produce non-privileged, responsive and relevant documents, if any, in its
7 possession, custody or control, located after a reasonable search, but only after
8 entry of a suitable protective order and in accordance with the Court's Scheduling
9 Orders and all applicable local and federal rules.

10 **REQUEST FOR PRODUCTION NO. 48:**

11 All Documents that relate to the size or potential size of the market for each
12 of the Vizio Products.

13 **RESPONSE:**

14 Vizio incorporates by reference each of its General Objections as though
15 fully set forth herein and further objects to the terms "relate to," "size or potential
16 size" and "market" as vague and ambiguous in this context. Vizio further objects to
17 this RFP as overly broad and unduly burdensome as it seeks information relating to
18 every Vizio product regardless of whether Sony has ever made any allegation of
19 infringement of those products or has a reasonable basis for doing so. Vizio further
20 objects to this RFP as premature in that Sony has not yet identified any accused
21 products or the specific claims that Sony is asserting against each accused product.
22 Vizio further objects to this RFP to the extent it seeks confidential information of
23 any third party.

24 Subject to, and without waiver of the foregoing objections, Vizio will
25 produce non-privileged, responsive and relevant documents, if any, in its
26 possession, custody or control, located after a reasonable search, but only after
27 entry of a suitable protective order and Vizio has received the consent of any third
28

1 parties to produce any documents containing confidential information of said third
2 parties.

3 **REQUEST FOR PRODUCTION NO. 49:**

4 All Documents that relate to any agreement under which Vizio pays royalties
5 on sales of the Vizio Products.

6 **RESPONSE:**

7 Vizio incorporates by reference each of its General Objections as though
8 fully set forth herein and objects to the term "relate to" as vague and ambiguous in
9 this context. Vizio further objects to this RFP as overly broad and unduly
10 burdensome as it seeks information relating to every Vizio product regardless of
11 whether Sony has ever made any allegation of infringement of those products or has
12 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
13 that Sony has not yet identified any accused products or the specific claims that
14 Sony is asserting against each accused product. Vizio further objects to this RFP to
15 the extent it seeks information protected by attorney-client privilege and/or the
16 work product doctrine. Vizio further objects to this RFP to the extent it seeks
17 confidential information of any third party.

18 Subject to, and without waiver of the foregoing objections, Vizio will
19 produce non-privileged, responsive and relevant documents, if any, in its
20 possession, custody or control, located after a reasonable search, but only after
21 entry of a suitable protective order and Vizio has received the consent of any third
22 parties to produce any documents containing confidential information of said third
23 parties.

24 **REQUEST FOR PRODUCTION NO. 50:**

25 All licenses and agreements between AmTRAN and Vizio.

26 **RESPONSE:**

27 Vizio incorporates by reference each of its General Objections as though
28 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly

1 burdensome as it seeks information relating to “[a]ll” licenses and agreements
2 regardless of whether they are relevant to the claim or defense of any party or
3 reasonably calculated to lead to the discovery of admissible evidence. Vizio further
4 objects to this RFP to the extent it seeks information protected by attorney-client
5 privilege, the work product doctrine and/or a common interest of joint defense
6 privilege. Vizio further objects to this RFP to the extent it seeks confidential
7 information of any third party.

8 Subject to, and without waiver of the foregoing objections, Vizio will
9 produce non-privileged, responsive and relevant documents, if any, in its
10 possession, custody or control, located after a reasonable search, but only after
11 entry of a suitable protective order and Vizio has received the consent of any third
12 parties to produce any documents containing confidential information of said third
13 parties.

14 **REQUEST FOR PRODUCTION NO. 51:**

15 All Documents that reflect any licenses or agreements between AmTRAN
16 and Vizio.

17 **RESPONSE:**

18 Vizio incorporates by reference each of its General Objections as though
19 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
20 burdensome as it seeks information relating to “documents that reflect any” licenses
21 and agreements regardless of whether they are relevant to the claim or defense of
22 any party or reasonably calculated to lead to the discovery of admissible evidence.
23 Vizio further objects to this RFP to the extent it seeks information protected by
24 attorney-client privilege, the work product doctrine and/or a common interest of
25 joint defense privilege. Vizio further objects to this RFP to the extent it seeks
26 confidential information of any third party.

27 Subject to, and without waiver of the foregoing objections, Vizio will
28 produce non-privileged, responsive and relevant documents, if any, in its

1 possession, custody or control, located after a reasonable search, but only after
2 entry of a suitable protective order and Vizio has received the consent of any third
3 parties to produce any documents containing confidential information of said third
4 parties.

5 **REQUEST FOR PRODUCTION NO. 52:**

6 All Documents reflecting AmTRAN's ownership in Vizio.

7 **RESPONSE:**

8 Vizio incorporates by reference each of its General Objections as though
9 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
10 burdensome as it seeks information not relevant to the claim or defense of any party
11 nor reasonably calculated to lead to the discovery of admissible evidence. Vizio
12 further objects to this RFP to the extent it seeks information protected by attorney-
13 client privilege, the work product doctrine and/or a common interest of joint
14 defense privilege. Vizio further objects to this RFP to the extent it seeks
15 confidential information of any third party.

16 Subject to, and without waiver of the foregoing objections, Vizio will
17 produce non-privileged, responsive and relevant documents, if any, in its
18 possession, custody or control, located after a reasonable search, but only after
19 entry of a suitable protective order and Vizio has received the consent of any third
20 parties to produce any documents containing confidential information of said third
21 parties.

22 **REQUEST FOR PRODUCTION NO. 53:**

23 All Documents that relate to any agreement under which any third party
24 receives, or is entitled to receive, any proceeds from the sale of any of the Vizio
25 Products.

26 **RESPONSE:**

27 Vizio incorporates by reference each of its General Objections as though
28 fully set forth herein and further objects to the terms "relate to" and "any proceeds"

1 as vague and ambiguous in this context. Vizio further objects to this RFP as overly
2 broad and unduly burdensome as it seeks information relating to every Vizio
3 product regardless of whether Sony has ever made any allegation of infringement of
4 those products or has a reasonable basis for doing so. Vizio further objects to this
5 RFP as premature in that Sony has not yet identified any accused products or the
6 specific claims that Sony is asserting against each accused product. Vizio further
7 objects to this RFP to the extent it seeks information protected by attorney-client
8 privilege, the work product doctrine and/or a common interest of joint defense
9 privilege. Vizio further objects to this RFP to the extent it seeks confidential
10 information of any third party.

11 Subject to, and without waiver of the foregoing objections, Vizio will
12 produce non-privileged, responsive and relevant documents, if any, in its
13 possession, custody or control, located after a reasonable search, but only after
14 entry of a suitable protective order and Vizio has received the consent of any third
15 parties to produce any documents containing confidential information of said third
16 parties.

17 **REQUEST FOR PRODUCTION NO. 54:**

18 All Documents concerning sales forecasts, budgets, expenses, costs, and
19 profitability of the Vizio Products.

20 **RESPONSE:**

21 Vizio incorporates by reference each of its General Objections as though
22 fully set forth herein and further objects to the terms “budgets,” “expenses” “costs”
23 and “profitability” as vague and ambiguous in this context. Vizio further objects to
24 this RFP as overly broad and unduly burdensome as it seeks information relating to
25 every Vizio product regardless of whether Sony has ever made any allegation of
26 infringement of those products or has a reasonable basis for doing so. Vizio further
27 objects to this RFP as premature in that Sony has not yet identified any accused
28 products or the specific claims that Sony is asserting against each accused product.

1 Vizio further objects to this RFP to the extent it seeks confidential information of
2 any third party.

3 Subject to, and without waiver of the foregoing objections, Vizio will
4 produce non-privileged, responsive and relevant documents, if any, in its
5 possession, custody or control, located after a reasonable search, but only after
6 entry of a suitable protective order and Vizio has received the consent of any third
7 parties to produce any documents containing confidential information of said third
8 parties.

9 **REQUEST FOR PRODUCTION NO. 55:**

10 All Documents that relate to (1) any written or oral opinions received or
11 solicited by Vizio that relate to the validity, enforceability, infringement, or scope
12 of any claims of the patents-in-suit and (2) the preparation of any such opinions,
13 including, but not limited to, drafts, notes, and any Documents relied on in the
14 preparation of any such opinions.

15 **RESPONSE:**

16 Vizio incorporates by reference each of its General Objections as though
17 fully set forth herein and objects to the term "relate to" as vague and ambiguous in
18 this context. Vizio further objects to this RFP to the extent it seeks information
19 protected by attorney-client privilege, the work product doctrine and/or a common
20 interest of joint defense privilege. Vizio further objects to this RFP as premature to
21 the extent it calls for information that will be the subject of expert reports. Vizio
22 further objects to this RFP as premature to the extent it seeks information in
23 contravention of the Court's Scheduling Orders. Vizio further objects to this RFP
24 as premature in that Sony has not yet identified the specific claims that Sony is
25 asserting against each accused product.

26 **REQUEST FOR PRODUCTION NO. 56:**

27 All opinions of counsel relating to any of the patents-in-suit.
28

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein. Vizio further objects to this RFP to the extent it seeks
4 information protected by attorney-client privilege, the work product doctrine and/or
5 a common interest of joint defense privilege. Vizio further objects to this RFP as
6 premature to the extent it calls for information that will be the subject of expert
7 reports. Vizio further objects to this RFP as premature to the extent it seeks
8 information in contravention of the Court's Scheduling Orders. Vizio further
9 objects to this RFP as premature in that Sony has not yet identified any accused
10 products or the specific claims that Sony is asserting against each accused product.

11 **REQUEST FOR PRODUCTION NO. 57:**

12 All Documents concerning any of Vizio's policies, practices, or guidelines
13 regarding the patent rights of others, including the analysis of patents to ensure you
14 do not infringe such patents.

15 **RESPONSE:**

16 Vizio incorporates by reference each of its General Objections as though
17 fully set forth herein and further objects to the terms "policies, practices, or
18 guidelines" and "ensure" as vague and ambiguous in this context. Vizio further
19 objects to this RFP to the extent it seeks information protected by attorney-client
20 privilege, the work product doctrine and/or a common interest of joint defense
21 privilege. Vizio further objects to this RFP as premature to the extent it calls for
22 information that will be the subject of expert reports. Vizio further objects to this
23 RFP as premature to the extent it seeks information in contravention of the Court's
24 Scheduling Orders. Vizio further objects to this RFP as overly broad and unduly
25 burdensome as it seeks information not relevant to the claim or defense of any party
26 nor reasonably calculated to lead to the discovery of admissible evidence.

1 **REQUEST FOR PRODUCTION NO. 58:**

2 All Documents concerning any test, study, experimentation, or investigation
3 conducted to determine whether any product manufactured or sold by Vizio
4 infringes any of the patents-in-suit or uses any Sony technology.

5 **RESPONSE:**

6 Vizio incorporates by reference each of its General Objections as though
7 fully set forth herein and further objects to the terms “manufactured” and “Sony
8 technology” as vague and ambiguous in this context. Vizio further objects to this
9 RFP as overly broad and unduly burdensome as it seeks information relating to
10 “any Sony technology” regardless of whether Sony has ever made any allegation of
11 infringement or has a reasonable basis for doing so. Vizio further objects to this
12 RFP as premature to the extent it calls for information that will be the subject of
13 expert reports. Vizio further objects to this RFP as premature to the extent it seeks
14 information in contravention of the Court’s Scheduling Orders. Vizio further
15 objects to this RFP to the extent it seeks information protected by the attorney-
16 client privilege and/or work product doctrine.

17 Subject to, and without waiver of the foregoing objections, Vizio will
18 produce non-privileged, responsive and relevant documents, if any, in its
19 possession, custody or control, located after a reasonable search, but only after
20 entry of a suitable protective order and in accordance with the Court’s Scheduling
21 Orders and all applicable local and federal rules.

22 **REQUEST FOR PRODUCTION NO. 59:**

23 All Documents relating to any test, study, experimentation, or investigation
24 conducted by or on behalf of Vizio in an effort to design around any of the patents-
25 in-suit.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein. Vizio further objects to this RFP to the extent it seeks
4 information protected by the attorney-client privilege and/or work product doctrine.

5 Subject to, and without waiver of the foregoing objections, Vizio will
6 produce non-privileged, responsive and relevant documents, if any, in its
7 possession, custody or control, located after a reasonable search, but only after
8 entry of a suitable protective order.

9 **REQUEST FOR PRODUCTION NO. 60:**

10 All Documents in Vizio's possession that belong to Sony or contain
11 confidential Sony information.

12 **RESPONSE:**

13 Vizio incorporates by reference each of its General Objections as though
14 fully set forth herein and further objects to the term "belong" as vague and
15 ambiguous in this context. Vizio further objects to this RFP as overly broad and
16 unduly burdensome as it seeks any Sony documents regardless of whether they are
17 relevant to a claim or defense of any party in this action.

18 Subject to, and without waiver of the foregoing objections, Vizio responds
19 that it will produce non-privileged, responsive and relevant documents, if any, in its
20 possession, custody or control, located after a reasonable search, but only after
21 entry of a suitable protective order.

22 **REQUEST FOR PRODUCTION NO. 61:**

23 Documents sufficient to show Vizio's organizational structure from
24 October 10, 2002 to the present, including but not limited to organizational charts
25 and personnel charts.

26 **RESPONSE:**

27 Vizio incorporates by reference each of its General Objections as though
28 fully set forth herein.

1 Subject to, and without waiver of the foregoing objections, Vizio will
2 produce non-privileged, responsive and relevant documents, if any, in its
3 possession, custody or control, located after a reasonable search, but only after
4 entry of a suitable protective order.

5 **REQUEST FOR PRODUCTION NO. 62:**

6 Documents sufficient to show the officers, employees and other Vizio
7 personnel who are or have been involved in the design, testing, manufacture,
8 marketing, sale, or importation of the Vizio Products.

9 **RESPONSE:**

10 Vizio incorporates by reference each of its General Objections as though
11 fully set forth herein and objects to the term "manufacture" as vague and
12 ambiguous in this context. Vizio further objects to this RFP as overly broad and
13 unduly burdensome as it seeks information relating to every Vizio product
14 regardless of whether Sony has ever made any allegation of infringement of those
15 products or has a reasonable basis for doing so. Vizio further objects to this RFP as
16 premature in that Sony has not yet identified any accused products.

17 Subject to, and without waiver of the foregoing objections, Vizio will
18 produce non-privileged, responsive and relevant documents, if any, in its
19 possession, custody or control, located after a reasonable search, but only after
20 entry of a suitable protective order.

21 **REQUEST FOR PRODUCTION NO. 63:**

22 All Documents that relate to Vizio's document destruction and/or document
23 retention policies.

24 **RESPONSE:**

25 Vizio incorporates by reference each of its General Objections as though
26 fully set forth herein and objects to the term "relate to" as vague and ambiguous in
27 this context.
28

1 Subject to, and without waiver of the foregoing objections, Vizio will
2 produce non-privileged, responsive and relevant documents, if any, in its
3 possession, custody or control, located after a reasonable search, but only after
4 entry of a suitable protective order.

5 **REQUEST FOR PRODUCTION NO. 64:**

6 Documents sufficient to show the structure of Vizio's e-mail system and any
7 manner of automatic deletion of e-mail.

8 **RESPONSE:**

9 Vizio incorporates by reference each of its General Objections as though
10 fully set forth herein and further objects to the terms "structure" and "any manner"
11 as vague and ambiguous in this context. Vizio further objects to this RFP to the
12 extent it is not relevant to the claim or defense of any party nor reasonably
13 calculated to lead to the discovery of admissible evidence.

14 **REQUEST FOR PRODUCTION NO. 65:**

15 All Documents identified, consulted, or referred to by Vizio in its responses
16 to any interrogatory served by Sony in this action, including Sony's First Set of
17 Interrogatories served herewith.

18 **RESPONSE:**

19 Vizio incorporates by reference each of its General Objections as though
20 fully set forth herein and further objects to the term "consulted" as vague and
21 ambiguous in this context. Vizio further objects to this RFP to the extent it seeks
22 information that is not relevant to the claims or defenses of any party nor
23 reasonably calculated to lead to the discovery of admissible evidence. Vizio further
24 objects to this RFP to the extent it seeks information protected by attorney-client
25 privilege, the work product doctrine and/or common interest or joint defense
26 agreement.

27 Subject to, and without waiver of the foregoing objections, Vizio will
28 produce non-privileged, responsive and relevant documents, if any, in its

1 possession, custody or control, located after a reasonable search, but only after
2 entry of a suitable protective order.

3 **REQUEST FOR PRODUCTION NO. 66:**

4 All Documents that Vizio contends relate to the scope or meaning of any
5 claims of the patents-in-suit.

6 **RESPONSE:**

7 Vizio incorporates by reference each of its General Objections as though
8 fully set forth herein and objects to the term “relate to” as vague and ambiguous in
9 this context. Vizio further objects to this RFP to the extent it seeks information
10 protected by attorney-client privilege, the work product doctrine and/or common
11 interest or joint defense agreement. Vizio further objects to this RFP as premature
12 in that Sony has not yet identified any accused products or the specific claims that
13 Sony is asserting against each accused product. Vizio further objects to this RFP as
14 premature to the extent it seeks information that will be the subject of claim
15 construction briefing or expert discovery and reports. Vizio further objects to this
16 RFP as premature to the extent it seeks information in contravention of the Court’s
17 Scheduling Orders.

18 Subject to, and without waiver of the foregoing objections, Vizio will
19 produce non-privileged, responsive and relevant documents, if any, in its
20 possession, custody or control, located after a reasonable search and after the entry
21 of a suitable protective order, in accordance with the Court’s Scheduling Orders and
22 all applicable local and federal rules.

23 **REQUEST FOR PRODUCTION NO. 67:**

24 All Documents that relate to this action, including, but not limited to, press
25 releases, submissions to government agencies, and Communications with third
26 parties.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein and objects to the term “relate to” as vague and ambiguous in
4 this context. Vizio further objects to this RFP to the extent it seeks information
5 protected by attorney-client privilege, the work product doctrine and/or common
6 interest or joint defense agreement. Vizio further objects to this RFP to the extent it
7 seeks confidential information of any third party.

8 Subject to, and without waiver of the foregoing objections, Vizio will
9 produce non-privileged, responsive and relevant documents, if any, in its
10 possession, custody or control, located after a reasonable search, but only after
11 entry of a suitable protective order and Vizio has received the consent of any third
12 parties to produce any documents containing confidential information of said third
13 parties.

14 **REQUEST FOR PRODUCTION NO. 68:**

15 All Source Code that relates to any of the Vizio Products or the Related Vizio
16 Products.

17 **RESPONSE:**

18 Vizio incorporates by reference each of its General Objections as though
19 fully set forth herein and objects to the term “relate to” as vague and ambiguous in
20 this context. Vizio further objects to this RFP as overly broad and unduly
21 burdensome as it seeks information relating to every Vizio product and “Related
22 Vizio Products” regardless of whether Sony has ever made any allegation of
23 infringement of those products or has a reasonable basis for doing so. Vizio further
24 objects to this RFP as premature in that Sony has not yet identified any accused
25 products or the specific claims that Sony is asserting against each accused product.
26 Vizio further objects to this RFP to the extent it calls for information not within
27 Vizio’s possession, custody or control. Vizio further objects to this RFP to the
28 extent it seeks confidential information of any third party.

1 Subject to, and without waiver of the foregoing objections, Vizio will
2 produce non-privileged, responsive and relevant documents, if any, in its
3 possession, custody or control, located after a reasonable search, but only after
4 entry of a suitable protective order and Vizio has received the consent of any third
5 parties to produce any documents containing confidential information of said third
6 parties.

7 **REQUEST FOR PRODUCTION NO. 69:**

8 All Source Code used to operate or enable the function of every integrated
9 circuit incorporated into the Vizio Products that performs any part of the functions
10 of a Video Processor and/or a Graphics Processor, whether stored on the processor
11 itself or in external memory.

12 **RESPONSE:**

13 Vizio incorporates by reference each of its General Objections as though
14 fully set forth herein and further objects to the term “used to operate or enable” as
15 vague and ambiguous in this context. Vizio further objects to this RFP as overly
16 broad and unduly burdensome as it seeks information relating to every Vizio
17 product regardless of whether Sony has ever made any allegation of infringement of
18 those products or has a reasonable basis for doing so. Vizio further objects to this
19 RFP as premature in that Sony has not yet identified any accused products or the
20 specific claims that Sony is asserting against each accused product. Vizio further
21 objects to this RFP to the extent it calls for information not within Vizio’s
22 possession, custody or control. Vizio further objects to this RFP to the extent it
23 seeks confidential information of any third party.

24 Subject to, and without waiver of the foregoing objections, Vizio will
25 produce non-privileged, responsive and relevant documents, if any, in its
26 possession, custody or control, located after a reasonable search, but only after
27 entry of a suitable protective order and Vizio has received the consent of any third
28

1 parties to produce any documents containing confidential information of said third
2 parties.

3 **REQUEST FOR PRODUCTION NO. 70:**

4 All Documents that relate to any Source Code used to operate or enable any
5 functionality of any of the Vizio Products, including but not limited to algorithms,
6 flowcharts, diagrams, notes, and manuals.

7 **RESPONSE:**

8 Vizio incorporates by reference each of its General Objections as though
9 fully set forth herein and further objects to the terms “relate to” and “used to
10 operate or enable” as vague and ambiguous in this context. Vizio further objects to
11 this RFP as overly broad and unduly burdensome as it seeks information relating to
12 every Vizio product regardless of whether Sony has ever made any allegation of
13 infringement of those products or has a reasonable basis for doing so. Vizio further
14 objects to this RFP as premature in that Sony has not yet identified any accused
15 products or the specific claims that Sony is asserting against each accused product.
16 Vizio further objects to this RFP to the extent it calls for information not within
17 Vizio’s possession, custody or control. Vizio further objects to this RFP to the
18 extent it seeks confidential information of any third party.

19 Subject to, and without waiver of the foregoing objections, Vizio will
20 produce non-privileged, responsive and relevant documents, if any, in its
21 possession, custody or control, located after a reasonable search, but only after
22 entry of a suitable protective order and Vizio has received the consent of any third
23 parties to produce any documents containing confidential information of said third
24 parties.

25 **REQUEST FOR PRODUCTION NO. 71:**

26 All Documents that relate to any Source Code used to operate or enable any
27 functionality of any of the Related Vizio Products, including but not limited to
28 algorithms, flowcharts, diagrams, notes, and manuals.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein and further objects to the terms “relate to” and “used to
4 operate or enable” as vague and ambiguous in this context. Vizio further objects to
5 this RFP as overly broad and unduly burdensome as it seeks information relating to
6 every Vizio product regardless of whether Sony has ever made any allegation of
7 infringement of those products or has a reasonable basis for doing so. Vizio further
8 objects to this RFP as premature in that Sony has not yet identified any accused
9 products or the specific claims that Sony is asserting against each accused product.
10 Vizio further objects to this RFP to the extent it calls for information not within
11 Vizio’s possession, custody or control. Vizio further objects to this RFP to the
12 extent it seeks confidential information of any third party.

13 Subject to, and without waiver of the foregoing objections, Vizio will
14 produce non-privileged, responsive and relevant documents, if any, in its
15 possession, custody or control, located after a reasonable search, but only after
16 entry of a suitable protective order and Vizio has received the consent of any third
17 parties to produce any documents containing confidential information of said third
18 parties.

19 **REQUEST FOR PRODUCTION NO. 72:**

20 All Source Code that relates to the technology claimed or disclosed in the
21 ‘626 patent, including, without limitation, all Source Code relating to the menu
22 display and/or picture-in-picture functionality of the Vizio Products.

23 **RESPONSE:**

24 Vizio incorporates by reference each of its General Objections as though
25 fully set forth herein and further objects to the terms “relates to,” “technology
26 claimed or disclosed,” “menu display” and “picture-in-picture functionality” as
27 vague and ambiguous in this context. Vizio further objects to this RFP as overly
28 broad and unduly burdensome as it seeks information relating to every Vizio

1 product regardless of whether Sony has ever made any allegation of infringement of
2 those products or has a reasonable basis for doing so. Vizio further objects to this
3 RFP as premature in that Sony has not yet identified any accused products or the
4 specific claims that Sony is asserting against each accused product. Vizio further
5 objects to this RFP to the extent it calls for information not within Vizio's
6 possession, custody or control. Vizio further objects to this RFP to the extent it
7 seeks confidential information of any third party.

8 Subject to, and without waiver of the foregoing objections, Vizio will
9 produce non-privileged, responsive and relevant documents, if any, in its
10 possession, custody or control, located after a reasonable search, but only after
11 entry of a suitable protective order and Vizio has received the consent of any third
12 parties to produce any documents containing confidential information of said third
13 parties.

14 **REQUEST FOR PRODUCTION NO. 73:**

15 All Source Code that relates to the technology claimed or disclosed in the
16 '577 patent, including, without limitation, all Source Code relating to the close
17 caption functionality of the Vizio Products .

18 **RESPONSE:**

19 Vizio incorporates by reference each of its General Objections as though
20 fully set forth herein and further objects to the terms "relates to," "technology
21 claimed or disclosed" and "close caption functionality" as vague and ambiguous in
22 this context. Vizio further objects to this RFP as overly broad and unduly
23 burdensome as it seeks information relating to every Vizio product regardless of
24 whether Sony has ever made any allegation of infringement of those products or has
25 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
26 that Sony has not yet identified any accused products or the specific claims that
27 Sony is asserting against each accused product. Vizio further objects to this RFP to
28 the extent it calls for information not within Vizio's possession, custody or control.

1 Vizio further objects to this RFP to the extent it seeks confidential information of
2 any third party.

3 Subject to, and without waiver of the foregoing objections, Vizio will
4 produce non-privileged, responsive and relevant documents, if any, in its
5 possession, custody or control, located after a reasonable search, but only after
6 entry of a suitable protective order and Vizio has received the consent of any third
7 parties to produce any documents containing confidential information of said third
8 parties.

9 **REQUEST FOR PRODUCTION NO. 74:**

10 All Source Code that relates to the technology claimed or disclosed in the
11 '542 patent, including, without limitation, all Source Code relating to the subtitle
12 display functionality of the Vizio Products.

13 **RESPONSE:**

14 Vizio incorporates by reference each of its General Objections as though
15 fully set forth herein and further objects to the terms "relates to," "technology
16 claimed or disclosed" and "subtitle display functionality" as vague and ambiguous
17 in this context. Vizio further objects to this RFP as overly broad and unduly
18 burdensome as it seeks information relating to every Vizio product regardless of
19 whether Sony has ever made any allegation of infringement of those products or has
20 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
21 that Sony has not yet identified any accused products or the specific claims that
22 Sony is asserting against each accused product. Vizio further objects to this RFP to
23 the extent it calls for information not within Vizio's possession, custody or control.
24 Vizio further objects to this RFP to the extent it seeks confidential information of
25 any third party.

26 Subject to, and without waiver of the foregoing objections, Vizio will
27 produce non-privileged, responsive and relevant documents, if any, in its
28 possession, custody or control, located after a reasonable search, but only after

1 entry of a suitable protective order and Vizio has received the consent of any third
2 parties to produce any documents containing confidential information of said third
3 parties.

4 **REQUEST FOR PRODUCTION NO. 75:**

5 All Source Code that relates to the technology claimed or disclosed in the
6 '847 patent, including, without limitation, all Source Code relating to the subtitle
7 display functionality of the Vizio Products.

8 **RESPONSE:**

9 Vizio incorporates by reference each of its General Objections as though
10 fully set forth herein and further objects to the terms "relates to," "technology
11 claimed or disclosed" and "subtitle display functionality" as vague and ambiguous
12 in this context. Vizio further objects to this RFP as overly broad and unduly
13 burdensome as it seeks information relating to every Vizio product regardless of
14 whether Sony has ever made any allegation of infringement of those products or has
15 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
16 that Sony has not yet identified any accused products or the specific claims that
17 Sony is asserting against each accused product. Vizio further objects to this RFP to
18 the extent it calls for information not within Vizio's possession, custody or control.
19 Vizio further objects to this RFP to the extent it seeks confidential information of
20 any third party.

21 Subject to, and without waiver of the foregoing objections, Vizio will
22 produce non-privileged, responsive and relevant documents, if any, in its
23 possession, custody or control, located after a reasonable search, but only after
24 entry of a suitable protective order and Vizio has received the consent of any third
25 parties to produce any documents containing confidential information of said third
26 parties.